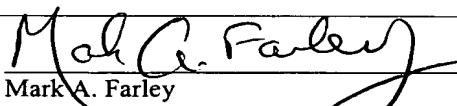


FORM PTO-1390 (REV. 07-2004)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER P/2107-259
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>				U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10 / 510329</b>
INTERNATIONAL APPLICATION NO. <b>PCT/EP2003/003533</b>		INTERNATIONAL FILING DATE <b>4 April 2003</b>		PRIORITY DATE CLAIMED <b>6 April 2002</b>
TITLE OF INVENTION <b>DETECTION OF MYCOBACTERIA IN CLINICAL MATERIAL</b>				
APPLICANT(S) FOR DO/EO/US <b>Franz-Christoph BANGE et al.</b>				
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> </li> <li>8. <input checked="" type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An <u>Unexecuted</u> oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input checked="" type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11 to 20 below concern other document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98 with PTO 1449 (six references enclosed).</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or address letter.</li> <li>17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information (<i>specify</i>): International Search Report; IPER (in German) 4 sheets of drawings Figs. 1-4; Statement Under 37 CFR 1.821; diskette containing sequence listing</li> </ol>				

(673340.1)

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.15) <b>107510329</b>	INTERNATIONAL APPLICATION NO. <b>PCT/EP2003/003533</b>	ATTORNEY'S DOCKET NUMBER <b>P/2107-259</b>		
21. [XX] The following fees are submitted:		CALCULATIONS PTO USE ONLY		
<b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b> Neither international preliminary examination fee (37 CFR 1.482) Nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO And International Search Report not prepared by the EPO or JPO ..... <b>\$1,110.00</b>				
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$950.00</b>				
International preliminary examination fee (37 CFR 1.482) not paid to USPTO But international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... <b>\$790.00</b>				
International preliminary examination fee (37 CFR 1.482) paid to USPTO But all claims did not satisfy provisions of PCT Article 33(1)-(4)..... <b>\$750.00</b>				
International preliminary examination fee (37 CFR 1.482) paid to USPTO And all claims satisfied provisions of PCT Article 33(1)-(4)..... <b>\$100.00</b>				
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		<b>\$950.00</b>		
[ ] Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total Claims	19 - 20 =	0	x \$18.00	\$
Independent Claims	8 - 3 =	5	x \$88.00	\$430.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$300.00		\$
<b>TOTAL OF ABOVE CALCULATIONS =</b>		<b>\$1,380.00</b>		
[ ] Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by $\frac{1}{2}$ .		\$		
<b>SUBTOTAL =</b>		<b>\$</b>		
[ ] Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		+		\$
<b>TOTAL NATIONAL FEE =</b>		<b>\$1,380.00</b>		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by the appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +		\$		
<b>TOTAL FEES ENCLOSED =</b>		<b>\$1,380.00</b>		
		<b>Amount to be refunded:</b>		\$
		<b>Amount to be charged:</b>		\$
<p>a. [XX] A check (check no. <u>18317</u>) in the amount \$1,380.00 to cover the above fees is enclosed.</p> <p>b. [ ] Please charge my Deposit Account No. <u>15-0700</u> in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. [XX] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No.15-0700. A duplicate copy of this sheet is enclosed.</p> <p><b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b></p>				
SEND ALL CORRESPONDENCE TO: Robert C. Faber Ostrolenk, Faber, Gerb & Soffen, LLP 1180 Avenue of the Americas New York, New York 10036-8402		 Mark A. Farley Registration Number: 33,170 October 5, 2004 Tel: (212) 382-0700		

EXPRESS MAIL CERTIFICATE

10/510329

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee (mail label #[EV209609001US]) in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 5, 2004:

DT04 Rec'd PCT/PTO 05 OCT 2004

Dorothy Jenkins

Name of Person Mailing Correspondence

  
Signature

October 5, 2005

Date of Signature